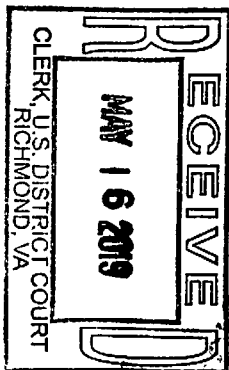


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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
701 EAST BROAD STREET, SUITE 3000
RICHMOND, VIRGINIA 23219-3528
OFFICIAL BUSINESS

Susan A. Lutzke
2608 Leisure Dr, Apt. B
Ft. Collins, CO 80525



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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

ROBERT DAVID STEELE, *et al.*,

Plaintiffs,

v.

Civil Action No. 3:17cv601

JASON GOODMAN, *et al.*,

Defendants.

ORDER

This matter comes before the Court on non-party D. George Sweigert's Motion to Intervene (the "First Amended Motion to Intervene"), (ECF No. 88), and Amended Motion to Intervene (the "Second Amended Motion to Intervene"), (ECF No. 93).

On February 19, 2019, Sweigert filed a Motion to Intervene (the "Original Motion to Intervene"). (ECF No. 73.) On March 18, 2019, Sweigert filed a "Notice of Intent to File an Amended Motion." (ECF No. 81.) On March 29, 2019, Sweigert filed the First Amended Motion to Intervene.¹

On March 31, 2019, the Court issued a Memorandum Opinion and Order disposing of various motions. (ECF Nos. 85, 86.) In so doing, the Court ordered that Sweigert file an Amended Motion to Intervene no later than April 12, 2019, should he still intend to do so. The Court also ordered all parties—Plaintiffs Robert Steele and the Earth Intelligence Network

¹ The Clerk docketed the First Amended Motion to Intervene on April 1, 2019.

(collectively, “Plaintiffs”), and Defendants Negron, Goodman, and Lutzke—to file a response to the Amended Motion to Intervene by April 23, 2019.²

On April 1, 2019, the Clerk updated the docket to properly reflect Sweigert’s First Amended Motion to Intervene dated March 29, 2019. Because Sweigert had submitted the First Amended Motion to Intervene, the Court denied as moot the Original Motion to Intervene and construed the March 29, 2019 filing as complying with the Court’s March 31, 2019 directive to file an Amended Motion to Intervene. (*See* Apr. 2, 2019 Order, ECF No. 90.) On April 11, 2019, Sweigert filed the Second Amended Motion to Intervene.

In the interest of justice, and considering Sweigert’s *pro se* status, the Court DENIES AS MOOT the First Amended Motion to Intervene. (ECF No. 88.) The Court ORDERS all parties—Plaintiffs, Negron, Goodman,³ and Lutzke—to file a response to the Second Amended Motion to Intervene by May 1, 2019.

Let the Clerk send a copy of this Order to all counsel of record, and to Lutzke, Goodman, and Sweigert at their respective addresses of record.

It is SO ORDERED.

Date:

Richmond, Virginia

4/18/19


M. Hannah Lauck
United States District Judge

² The Court also ordered Plaintiffs, Negron, and Lutzke to respond to the Original Motion to Intervene by April 23, 2019, should Sweigert fail to timely file his Amended Motion to Intervene. Goodman previously filed an opposition to the Original Motion to Intervene. (ECF No. 78.)

³ Goodman, *pro se*, filed a response to the Original Motion to Intervene. (ECF No. 78.) Because the Court denied the Original Motion to Intervene and allows the Second Amended Motion to Intervene to proceed, Goodman must file a response to the Second Amended Motion to Intervene.